



Kevin J. Orsini
korsini@cravath.com
T+1-212-474-1596
New York

In re Google Digital Advertising Antitrust Litigation, No. 21-md-3010 (S.D.N.Y.)
RE: [Proposed] Order Regarding Coordination of Discovery

May 15, 2023

Dear Judge Castel,

I write on behalf of Meta Platforms, Inc. (“Meta”) concerning the potential coordination of discovery between this case and *United States v. Google*, No. 23-cv-108 (E.D. Va.) (the “Virginia Case”). In accordance with Rule 1.A.iv of the Court’s Individual Practices, there is a conference scheduled on Tuesday, May 16, 2023.

As laid out in Meta’s letter to both courts on April 28, any potential coordination of discovery between the Virginia Case and the MDL should not undermine this Court’s stay of discovery as to the NBA claims, nor should it prejudice Meta’s ability to take relevant discovery if the NBA discovery stay is ultimately lifted. Despite Meta’s discussions with Google and the Virginia Plaintiffs in good faith, the parties have not been able to agree on a proposed order that are consistent with the two goals described above.

Meta thus respectfully submits the attached Proposed Order Regarding Coordination of Discovery reflecting Meta’s position for the Court’s consideration. Meta’s Proposed Order is based on the latest draft proposed order shared by Google and the Virginia Plaintiffs on May 12, 2023 at 7:06 p.m. ET. We also attached a redline against that draft reflecting Meta’s proposed edits.

Respectfully,

Kevin J. Orsini

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

NEW YORK

Worldwide Plaza
825 Eighth Avenue
New York, NY 10019-7475
T+1-212-474-1000
F+1-212-474-3700

LONDON

CityPoint
One Ropemaker Street
London EC2Y 9HR
T+44-20-7453-1000
F+44-20-7860-1150

WASHINGTON, D.C.

1601 K Street NW
Washington, D.C. 20006-1682
T+1-202-869-7700
F+1-202-869-7600

CRAVATH, SWAINE & MOORE LLP

cc: All Counsel of Record (via CM/ECF)